The New Appellate Division of the Supreme Court Is Formally Opened.

Distinguished Lawyers Gather in the New Hall of Justice in Honor of the Occasion.

OUNTY COURT HOUSE CHANGES.

Ex-Recorder Frederick Smyth Assumes His ASKS \$10,000 FOR HEARTACHE New Duties Without Formal Ceremony, and Judge Newburger Also Begins Business at Once.

George C. Barrett, Pardon C. Williams and Morgan J. O'Brien.

The new court room was almost as much an object of interest as the Justices them-selves. It is a large room, on the third door, with a low ceiling supported by col-muns that interfere with its acoustic prop-

LAWYERS ASSEMBLED. Shortly after noon distinguished mem bers of the Bar began to assemble and inspect the new hall of justice. Among them vere Corporation Counsel Scott, John Proc

were Corporation Counsel Scott, John Proctor Clarke, Joseph H. Choate, Stephen P. Nash, William Allen Butler, Robert Sewell, Carlisle Norwood, James W. Hawes, ex-Surrogate Rollins, Austen G. Fox, Ellhu Root and John Murray Mitchell. Fully 250 were present by 1 o'clock.
Captain Billy Ricketts and his corps of fourt attendants had polished their buttons especially bright for the occasion, and he Justices filed solemnly in on time with tately tread and much rustling of silk. Che Chief Justice led, and as the procession advanced all the lawyers arose and renained standing until the Judges had assumed their places on the bench.
Then Captain Ricketts gave the time-torn cry: "Hear ye! Hear ye!" etc., and ac court was open. Joseph Choate, Ellhu oot and William Allen Bufler, as representatives of the bar, sat at the counsel ble. Mr. Choate arose, and in his most nave tones said:
"If Your Honors please, it seems to me opropriate that before regular business is

JUSTICES CONGRATULATED. William Allen Butler then congratulated Justices and was followed by Ellhu

### CAPTURED A REBEL CHIEF.

by the Portuguese-Mozambique Rebellion Practically Ended.

Washington, Jan. 6 .- A dispatch from the Government at Lisbon announces the cap-ture of Chief Gungunhama, the leader of the rebellion in Mozambique (east coast of Africa), and of his son Gudide, by the Por-

has lasted over a year, is now practically

Lena Goldstein to Sue Her Employer and

Lover for Breach of Promise:

### JUDGES IN SILK ROBES, CAPTURED A REBEL CHIEF. FALLON OUT ON CHARGES, Gungunhama and His Son Taken Prisoners

Warden of the Tombs Suspended on Accusations of Cruelty and Inhumanity.

tuguese troops.

The prisoners will be at once deported to Lisbon, where great enthusiasm has been aroused by their capture. It is believed that the rebellion in Mozambique, which

Employes in the Prison Make a Complaint to Commissioner of Correction Wright. Correction Wright.

The two men had been in hiding since last November, when the chief's army was twice defeated by the Portuguese.

Kept in a Dark Cell Called the "Cooler" for Thirty-six Hours with Nothing to Eat, and Then Put in the "Freezer."

WILL HAVE A FAIR HEARFING. "Warden Fallen will be given every opportunity to prove his innocence of the charges brought against him. He will be furnished with a copy of the charges and be allowed counsel, and the trial will be an open one. If he is innocent I shall sustain him; if guilty, I shall remove him. Politics will cut no figure in the matter.

\$100.00.

And in our other show windows we exhibit a more Elaborately Furnished Four-Room Flat, Complete, at

\$150.00.

THIS INCLUDES CARPETS, OLCLOTH, CURTAINS, CROCKERY, STOVE, TINWARE, PICTURES, PARLOR SUIT, BEDROOM SUIT, DINING ROOM FURNITURE.

FOR EITHER CASH OR ON CREDIT AT A SLIGHT ADVANCE.

EVERYTHING FOR HOUSEKEEPING. FURNITURE, CARPETS, BEDDING, LAMPS, BABY CARRIAGES, OIL-CLOTHS, STOVES, PICTURES, CLOCKS, PORTIERES, CROCKERY, REFRIGERATORS, TINWARE AND LACE CURTAINS. We Allow the Railroad Fares Both Ways' to Out-of-Town Purchasers WITHIN THE RADIUS OF 150 MILES FROM NEW YORK.

## J. & S. BAUMANN'S,

8th Ave., Cor. 19th St.

EMBRACING EVERYTHING FOR HOUSEKEEPING AND QUOTING PRICES WHAT YOU CAN BUY ON CREDIT, IS NOW READY, AND ON RECEIPT OF 6 CENTS POSTAGE WE WILL MAIL YOU ONE.

THEIR REPORT ABSURD. ASK \$8,250,000 DAMAGES. The President of the Nicaragua Canal Com- The Goulds, Russell Sage and Others STATIONS foot of Deabrosses and Cortlandt at pany Scores the Army Engineers

Who Examined the Route.

London, Dec. 21 .- Mr. J. B. Bartlett, The suit of the Prescott & Arizona Centhe work. The amount of excivation in constructing the canal was over 46,000,000 cubic yards in rock and earth, nearly as much as will be required in the entire construction of the Nicaragua Canal. The cost of the Manchester canal, about £12,000,000, was largely enhanced by reason of the land and land damages and the building of viaducts and bridges. Sewers, gaspipes, water pipes, rivers and canals had to be taken under or over the canal. None of this extra work would be required in the construction of the Nicaragua Canal. In reply to a question as to what English capitalists thought of the report of the Nicaragua Commission, Mr. Barriett said he found that the English simply smiled at the army engineers report. No attention would be paid to it, for the reason that they were the last men to be conversant with such a great work, and that their estimates are always too high and usually guessed at. It was known all over the

this extra work would be required in the construction of the Nicaragua Canal.

In reply to a question as to what English capitalists thought of the report of the Nicaragua Commission, Mr. Bartlett said he found that the English simply smiled at the army engineers' report. No attention would be paid to it, for the reason that they were the last men to be conversant with such a great work, and that their estimates are always too high and usually guessed at. It was known all over the world that construction under army engineers would cost double what it would

FLAHERTY MAY SUE ISAACS. The Officer's "Assault" Case Against the Clubman Now in Abeyance.

William M. Isanes, of No. 39 East Sixtylinth street, a prominent society man, and president of the American Board of Foreign Missions, was arraigned before Magistrate Mott in Yorkville Court restantiated Mott in Yorkville Court restantiated Motter Motter Motter Magistrate Motter in Yorkville Court restantiated Magistrate Motter in Yorkville Court restantiated Magistrate Motter in Yorkville Court restantiated Magistrate Motter and president of the American Board of

at the Columbia Theatre last evening, and those who braved the cold weather were repaid by witnessing the presentation of an interesting drama by C. Haddon Chambers, acted by a capable company. "John A-Dreams" is list title, which is the nickname given Harold Wynn, a college student with poetic aspirations, and tells the story of the young dreamer having lost a friend by winning a woman. Henry Miller, Viola Allen, William Faversham, J. E. Dodson, W. H. Compton and Genevieve Reynolds interpret the more important parts.

FOREIGN NOTES OF INTEREST. Merry Chauncey Olcott, the sweet singer, The dispatch boat Dolphin has arrived at appeared at the Amphion Theatre last Puerto Barrios, the port of Livingston, Guntemaia.

The Ange American Telegram Company reports that the Aden (Zanzibar) cable has been
repaired.

An estimate for \$29,000 will be submitted to
Congress to camble the War Department to make

Accused of Wrecking the Prescott & Arizona Railroad.

president of the Nicaragua Canal Company, tral Railroad Company against the Atchison, has just returned from a visit to the Man-chester Ship Canal. In an interview he fifty other defendants, including other said he was surprised at the magnitude of railroad companies and their directors and the work. The amount of excavation in stockholders, among whom are Russell constructing the canal was over 46,000,000 Sage, the Gould interest and others, was

The jury was impanelled, and leased until to-day, the time of terday being taken up with argupoints of law by counsel.

THEY ARE AFTER GOLD, TOO. Many Companies Being Formed to Mine in the Black Hills.

Pierre, S. D., Jan. 6.-The number of gold mining corporations which have been formed for the purpose of developing the Black Hills mines during the last year denotes that there will be unusual activity

a well-known patent medicine manufactufagistrate Mott decided that the case
anything was an action for civil procede. Dr. McArthur, of Calvary Baptist
unch, and ex-Governor Lounsberry, of
mnecticut, were present to testify for
r. Isaacs if necessary. Flaherty declined
say what his next move in the case
ould be.

Society (formerly The Daily News Savings and Building-Loan Association) is the place to put your savings. It is the largest savings society in the State. It pays six per cent its "Class B" shares, which a withdrawable at any time after issue. It costs nothing to join, and you can open a pass-book with even fifty cents. Join during first ten days in January and share in the earnings from the first. The new offices of the Society, 34 Park Row, will be seen daily from a A. M. will can be supported by the same and share from the society, 34 Park Row, will be seen daily from a A. M. will can be supported by the same seen daily from a A. M. will can be supported by the same seen daily from a A. M. will be supported by the same seen daily from a A. M. will be supported by the same seen daily from a A. M. will be supported by the same seen daily from a A. M. will be supported by the same supported by the same seen daily from a A. M. will be supported by the same seen daily from a A. M. will be supported by the same supported b Society, 34 Park Row, will be open daily from 9 A. M. to 9 P. M. until January 11, to receive BOSTON AND NEW ENGLAND POINTS

Corner of Beekman Street, Opposite the Post Office.

GRATEFUL-COMFORTING

BREAKFAST-SUPPER.

Made simply with boiling water or milk, only in half-pound tins, by Grocers labelled thus: JAMES EPPL & CO., Ltd., Hommopathic Chem London, England.

DESKS, Roll To Great Variety of Style and Price. T. G. SELLEW, 111 Fulton St.

RAILROADS.

# RAILROAD

10:00 A. M. PENNSYLVANIA LIMITED.

g Branch, Ashury Park, Ocean Grove nict Pleasant, 9:10 a. m., 12:10, 3:40, and 11:50 p. m. week days. Sundays at Interlaken for Asbury Park), 9:45 a.

FOR PHILADELPHIA.

"AMERICA'S CREATEST RAILROAD.

STELMBOATS.

old and new members. If you via Sound Lines. Week Days Only.
want more information, send for and Pilgrim. A fine orchestra on each, Leave a it to C. O'C. Hennessy, Secretary-Treasurer.

orner of Beekman Street,
pposite the Post Office.

prosite the Post Office.

proceedings of the process of the post office.

process of the post of th

Begins Business at Once.

The Appeliate Division of the Supreme Court, which Elibu Root characterizes as "the most powerful court that ever sat on Manhattan Island," convened yesterday for the first time since its creation by the Constitutional Convention in its new court room, in the Constable building, at Eightenth Street and Fifth avenue.

The new dignity conferred upon the Suman Begins Legati do not speak now as they pass by. The reason for the estrangement is a suit for breach of promise of marriage which Miss Gold-stell is about to institute against her forms stitutional Convention in its new court room, in the Constable building, at Eightenth Street and Fifth avenue.

The new dignity conferred upon the Suman Begins Legati do not speak now as they pass by. The reason for the estrangement is a suit for breach of promise of marriage which Miss Gold-stell is about to institute against her forms in the Warden has been suspended by Commissioner of Corrections Wright pending an examination into charges preferred by the employes of the prison, who allege cruelty and inhumanity on the part of Warden Fallon toward both prisoners and keepers under him.

The trouble in the Tombs has been brewing for some time, and culminated Sunday, when a prisoner named Louis Hermann was they pass by. The reason for the estrangement is a suit for breach of prison, has been suspended by Commissioner of Corrections Wright pending an examination into charges preferred by the employes of the prison, has been suspended by Commissioner of Corrections Wright pending an examination into charges preferred by the employes of the prison, has been suspended by Commissioner of Corrections Wright pending an examination into charges preferred by the employes of the prison, has been suspended by Commissioner of Corrections Wright pending an examination into charges preferred by the employes of the prison, has been suspended by Commissioner of Corrections Wright pending an examination into charges preferred by the employes of the prison, has been s The new dignity conferred upon the Supreme Court Justices was gracefully worn,
nlong with silken gowns donned for the
first time since 1846. Five of the seven
Justices sat from 1 until 4 o'clock p. m.
These were Chief Justice Charles H. Van
Brut and Justices Edward Patterson,
Court Justices was gracefully worn,
nlong with silken gowns donned for the
silken gowns donned for the
silken gowns donned for the
succeeding to Lena's statement, Legati
thought it was cheaper to make love than
pay salaries, and in December, 1893, after
the had moved to Spring street, Legati
made serious love to Lena. He won her

The trouble in the Tombs has been brewto several cases of alleged inhuman treat
ment besides that of Hermann.
The prisoner named Louis Hermann was
kept in the cooler for thirty-six hours without food or drink.

On New Year's Day Hermann, who is under
lated to work for him as commeted, and
some time, and culminated sunday,
to several cases of alleged inhuman treat
ment besides that of Hermann.
The pisoner who has been the
to several cases of alleged inhuman treat
ment besides that of Hermann.
The pisoner who has been the town been the tooler or street,
and she used to work for him as a cook.
When a prisoner named Louis Hermann was
to several cases of alleged inhuman treat
ment besides that of Hermann.
The pisoner who has been the town to several cases of alleged inhuman treat
ment besides that of Hermann.
The pisoner who has been the town to several cases of alleged inhuman treat
ment besides that of Hermann.
The pisoner who has been the town to several cases of alleged inhuman treat
ment besides that of Hermann.
The pisoner who has been the town to several cases of alleged inhuman treat
ment besides that of Hermann.
The post of the warden's being suspendent to several cases of alleged inhuman treat
ment besides that of Hermann.
The post of the warden's being suspendent to several cases of alleged inhuman treat
ment besides that of Hermann.
The post of the warden's being suspendent to several cases of alleged



government is founded."

Chief Justice Van Brunt responded briefly without rising. "It is very grateful to this Court," he said, "that this occasion should be deemed of sufficient importance to call forth such a distinguished assemblage of representatives of the Bar. This court has no past, but it has a future, and it hopes to so improve its opportunities that it shall not be said that it has been created in vain."

The first business transacted was the hearing of a motion for the dismissal of an appeal made by James L. Berger for the defendant in the case of Polhemus vs. Aidrich. Decision was reserved. The case of ex-Inspector of Police McLaughlin was not reached.

IN THE COUNTY COURT HOUSE.
It was a busy day, too, in the old County Court House, as the January term of the Supreme Court was begun at 10:30 o'clock. Everything, however, was confused, and

without any formality Justice Frederick
Smyth opened the criminal branch of the
Supreme Court yesterday morning in the
Town formerly occupied by the Court of
Oyer and Terminer. He had issued orders
that he would not allow any ceremony, and
there was none. The ex-Recorder's main,
friends, however, found their way inside
the bar and shook hands with him.

Thes trial of Michael McGowan, who is
charged with the murder of his sweetheart,
Rose Finn, was then begun, but only four
jurors were secured when the panel was
exhausted. The case will be continued today.

Juseph E. Newburger, late of the
City Court, took his seat on the bench for
the first time yesterday, opening Part II.
of the General Sessions promptly at II.
of

Damaging Testimony from the Prosecution in the Famous Toronto Murder Trial.

Toronto, Ont., Jan. 6.—The Hyams brothers came up once more in the police court this morning on the adjourned charge of conspiring to murder Mrs. Harry Hyams in December, 1894, and January, 1895.

Mrs. O. Leger, manager of the French department of the Montreal District Sungled to having come to Toronto to Insure and Mrs. Hyams for insurance Company, restlifled to having the more to Toronto to Insure and Mrs. Hyams for Insurance, the said, he was to Insure, and Mrs. Hyams for Insurance, the amount to be sting been requested for Early Mrs. Hyams for Insurance, the amount to be sting been requested for Early Mrs. Hyams for Insurance, the amount to be sting been requested for Early Mrs. He was to Mrs. Hyams for Insurance, the amount to be sting been requested for Early Mrs. He was to Insure, and Mrs. Hyams for Insurance, the amount to be sting been requested for Early Mrs. Hyams for Insurance, the amount to be sting been requested for Early Mrs. Hyams for Insurance, the amount to be sting been requested for Early Mrs. He was to Insure, and Mrs. Hyams for Insurance, the amount to be sting been requested for Early Mrs. He was to Insure, and Mrs. Hyams for Insurance, the amount to be stinged been requested for Early Mrs. He was to Insure and Mrs. Hyams for Insurance, the amount to be sting been requested for Early Mrs. He was to Insure and Mrs. Hyams for Insurance, the amount to be sting been requested for Early Mrs. He was to Insure and Mrs. Hyams for Insurance, the amount to be stingled for the Mrs. Hyams for Insurance, the amount to be stingled for the Mrs. Hyams for Insurance, the amount to be still the first the story of the Str. Hyams for Insurance, the amount to be still the story of the Str. Hyams to Insurance, the amount to be still the story of the Str. Hyams to the process of the City Prison in place of the City Prison in

Suspension of Warden Fallon. supreme Court was begun at 10:20 o'clock, verything, however, was confused, and beclai terms and trial terms were squeezed pell mell all over the building.

Justice Truax heard contested motions in A Panic Was Averted by the Speedy Arrival

The control of the property of the property of the property with certain for the property of t

Named a Newspaper Man. Washington, Jan. 6.—The President to-day appointed Francis E. Leupp, a Washington news-